

# **EXECUTIVE COUNCIL OF IOWA**

## **AGENDA**

**DECEMBER 19, 2011**

1. Introduction of Attendees
2. Approval of minutes of meeting held December 12, 2011
3. Personal Appearance –
  - A. David L. Dorff, Assistant Attorney General will be present to request approval for the Department of Natural Resources to transfer Eveland Access to the Mahaska County Conservation Board.  
TAB # 1
  - B. Marvin Shultz, Department of Human Services will be present to request additional funds in the amount of \$15,496.25 for Benton County with regard to the Governor Proclamation of a State of Disaster Emergency.  
TAB # 2
4. Outside Counsel – Page 1  
TAB # 3
5. Emergency Allocations – Page 1
6. Payment of Cost Items – Pages 1 - 2
7. Renewal Memberships – Pages 2 - 3  
TAB #'s 4, 5, 6 and 7

**4. Outside Counsel**

- A. The Department of Justice, Attorney General's office requests retention of special counsel to advise the Iowa College Student Aid Commission in the transfer of the Federal Family Education Program.

Firm: Thompson Hine Law Firm  
312 Walnut Street, 14<sup>th</sup> Floor  
Cincinnati, OH 45202

**TAB # 3**

**5. Emergency Allocations**

- A. Iowa Communications Network is requesting an emergency allocation in the amount of \$12,145.00. On October 4, 2011 there was damage to the fiber optic cable in Cerro Gordo County due to rodent chew. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation, subject to audit of actual invoices and supporting documentation and demonstration that no costs covered by the maintenance contract have been included.

- B. Iowa Communications Network is requesting an emergency allocation in the amount of \$10,218.67. On October 13, 2011 there was damage to the fiber optic cable due to flooding and erosion at Little Turkey River on West Bank at Jackson Junction. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation, subject to audit of actual invoices and supporting documentation and demonstration that no costs covered by the maintenance contract have been included.

**6. Payment of Cost Items**

- A. Dept. of Administrative Services, General Services Enterprise..... \$13,850.00  
On March 15, 2010 damaged was caused due to the collapse of North Hillside on Court Avenue. Request is to cover costs associated with damage.

The State Auditor's Office has reviewed the above request and recommends payment.

- B. Iowa Communications Network.....\$20,112.44  
On May 30, 2011 fiber optic cable was damaged due to flooding at Clanton Creek, south of Bevington in Warren County. Request is to cover repair costs.

The State Auditor's Office has reviewed the above request and recommends payment. This represents full and final payment, \$1,714.38 will be reverted and this allocation closed.

**7. Renewal Memberships**

- A. Ag. Development Authority in Iowa Soybean Association (ISA) in the amount of \$55.00 for November 2011 - November 2012. (Previous amount was \$55.00.) Other agencies: Yes: DED Funding Source: Other Funds: Loan Programs

- B. Blind in National Council of State Agencies for the Blind (NCSAB) in the amount of \$1,140.00 for January 1 - December 31, 2012. (Previous amount was \$1,140.00.) Other agencies: No: Funding Source: State General 21%/Federal Funds 79%

**TAB # 4**

- C. Economic Development in US Travel Association in the amount of \$6,775.00 for January 1 - December 31, 2012. (Previous amount was \$6,850.00.) Other agencies: No: Funding Source: State General Fund

**TAB # 5**

- D. Health in National Council of State Boards of Examiners for Speech-Language Pathology & Audiology in the amount of \$400.00 for January 1 - December 31, 2012. (Previous amount was \$400.00.) Other agencies: No: Funding Source: Other Funds: Retained Fees

- E. Iowa Finance Authority in American Land Title Assoc. in the amount of \$7,973.00 for January 1 - December 31, 2012. (Previous amount was \$6,911.50.) Other agencies: No: Funding Source: Other Funds: Self Funded

**TAB # 6**

- F. IPERS in Great Plains Government Finance Officers Association (GP GFOA) in the amount of \$170.00 for January 1 - December 31, 2012. (Previous amount was \$170.00.) Other agencies: No: Funding Source: Other Funds: IPERS Trust Fund

- G. IPERS in Iowa Contingency Planners in the amount of \$100.00 for January 1 - December 31, 2012. (Previous amount was \$100.00.) Other agencies: No: Funding Source: Other Funds: IPERS Appropriation Fund
- H. IPERS in Iowa Society of Certified Public Accountants in the amount of \$160.00 for October 1, 2011 - September 30, 2012. (Previous amount was \$150.00.) Other agencies: No: Funding Source: Other Funds: IPERS Trust Fund
- I. Natural Resources in Northeastern Area Association of State Foresters in the amount of \$50.00 for January 1 - December 31, 2012. (Previous amount was \$50.00.) Other agencies: No: Funding Source: Federal Funds
- J. Public Safety in Association of Public Safety Communications Officials (APCO) in the amount of \$92.00 for January 1 - December 31, 2012. (Previous amount was \$92.00.) Other agencies: Yes: DOT Funding Source: State General Fund
- K. Public Safety in National Emergency Number Association (NENA) in the amount of \$130.00 for January 1 - December 31, 2012. (Previous amount was \$130.00.) Other agencies: Yes: Public Defense-Emergency Management Division Funding Source: State General Fund
- L. Public Safety in National Fire Protection Association in the amount of \$150.00 for November 2011 - November 2012. (Previous amount was \$150.00.) Other agencies: No: Funding Source: State General Fund
- M. Transportation in Intelligent Transportation Society of America (ITSA) in the amount of \$2,850.00 for December 1, 2011 - November 30, 2012. (Previous amount was \$2,850.00.) Other agencies: No: Funding Source: Other State Funds: Primary Road Fund

**TAB # 7**

EXECUTIVE COUNCIL

TAB # 1

2011 DEC 14  
**MEMO from: David L. Dorff, Assistant Attorney General**  
**Iowa Department of Justice, Environmental Law Division**  
Lucas Bldg., Room 018, 321 East 12<sup>th</sup> St., Des Moines, IA 50319  
TEL: 515-281-6710 FAX: 515-242-6072 email: [ddorff@ag.state.ia.us](mailto:ddorff@ag.state.ia.us)

December 14, 2011

**GeorgAnna Madsen, Administrative Secretary**  
**Executive Council of Iowa**  
Capitol Bldg.  
VIA Local Mail

**Re: APPROVAL of Eveland Access land transfer to Mahaska County  
Conservation Board**

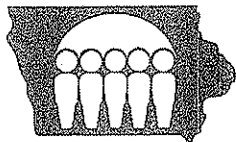
On behalf of the Iowa Department of Natural Resources, I am requesting that the Executive Council approve the transfer of the 24-acre state-owned Eveland Access in Mahaska County to the Mahaska County Conservation Board without consideration under the provisions of Iowa Code section 461A.32. The second paragraph of section 461A.32 authorizes the Executive Council, on recommendation of the Natural Resource Council, to transfer lands under the Commission's jurisdiction to county conservation boards for park purposes.

By resolution, the Mahaska County Board of Supervisors has requested the transfer of this state-owned property that the county has managed since 1978. The Conservation Board currently manages the area under an agreement with the DNR. Under the Board's management, several capital improvements have been made to the area, including: construction of a concrete boat ramp, campsites, playground equipment, and shelter houses. The County has also purchased an additional 33 acres adjacent to the area. County officials believe that funding and additional support for improvements and repairs would be more achievable if the park was owned, managed, and maintained by the same entity. In exchange for the transfer, county officials have agreed to enter into a management and title transfer agreement with the DNR. The Natural Resource Commission recommended Council approval of the transfer at its regularly scheduled meeting on December 8, 2011.

Conveyance is by state land patent with a required clause providing for reversion of the land to the state in the event it ceases to be used as a public park. After the Executive Council has approved the transfer, I will arrange for preparation and issuance of the patent and supporting certificate.

Please notify me when this request will be considered by the Executive Council so I can be present to answer any questions the Council might have. Thank you.

Copies to: Deputy Attorney General Julie F. Pottorff  
Kevin Szcodronski, Todd Rozendaal & Travis Baker, DNR



TAB # 2  
**Iowa Department of Human Services**

Terry E. Branstad  
Governor

Kim Reynolds  
Lt. Governor

Charles M. Palmer  
Director

2011 DEC 15 11:10:40  
EXECUTIVE COUNCIL

December 15, 2011

Executive Council  
Attn: GeorgAnna Madsen  
Capitol Building  
LOCAL

Item: Governor Proclamation of a State of Disaster Emergency – Request for Funds

Dear Ms. Madsen:

Per Governor Disaster Declaration of July 18, 2011, I am requesting additional funding for the Iowa Individual Assistance Grant Program be placed on the Executive Council Agenda for Monday, December 19, 2011. The Iowa Department of Human Services is requesting the Executive Council adopt a Resolution for Funds in the amount of \$15,496.25 for additional funds for Benton County pursuant to House File 896 Section 1 to distribute funds to individuals or families to replace/repair items affected by the disaster emergency which cannot be met by other means of financial assistance. This brings the total assistance for Benton County to \$33,016.98.

The account coding for the funds to be transferred is:

Dept	Fund	Appr	Org	
401	0391	0000	1107	State Only Disaster –Marion, Marshall, Tama, and Benton counties, July 18, 2011

Thank you for your assistance.

Sincerely,

Charles M. Palmer  
Director

cc: Vern Armstrong  
Marvin Shultz  
Kris Thomas  
Lee Hill



TAB # 3

THOMAS J. MILLER  
ATTORNEY GENERAL

JULIE F. POTTORFF  
DEPUTY ATTORNEY GENERAL

## Iowa Department of Justice

Address Reply To:  
1305 E. Walnut Street  
Des Moines, Iowa 50319  
Telephone: 515/281-3349  
Fax: 515/281-4209  
Julie.Pottorff@iowa.gov

December 14, 2011

GeorgAnna Madsen  
Executive Secretary  
State Capitol  
L-O-C-A-L

Re: Retention of Special Counsel

Dear GeorgAnna:

Our office requests Executive Council approval pursuant to Iowa Code section 13.7 to retain special counsel to advise the Iowa College Student Aid Commission ("the Commission") in the transfer of the Federal Family Education Program. The Federal Family Education Loan Program was eliminated by Congress effective July 1, 2010. The Commission is responsible for the administration of an outstanding student loan portfolio totaling \$2.3 billion until the loans are paid in full. The Commission hired a financial consultant to review portfolio options and perform a financial analysis. The consultant has advised the Commission to merge its portfolio with another guarantor and no longer serve as the designated guarantor for the State of Iowa. In order to merge the portfolio, the Commission will need an attorney skilled in these complex transactions to review and finalize the process. Our office lacks the necessary expertise to assist the Commission in this transaction.

The Commission solicited proposals from three different law firms and has selected the Thompson Hine Law Firm, 312 Walnut Street, 14<sup>th</sup> Floor, Cincinnati, Ohio, 45202, to represent the Commission in this transaction. The legal work will be performed by a team at the following rates:

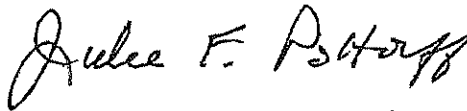
Trish Smitson	Partner	\$ 450.00
John Cottingham	Partner	\$ 350.00
Tiffany Williams	Associate	\$ 250.00
Paralegals	Paralegals	\$175.00

GeorgAnna Madsen  
Executive Secretary  
Page 2

All attorney fees and costs will be paid from the operating fund for the loan program and not from the General Fund. Based on discussions with the firm, the Commission expects the attorney fees will not exceed \$75,000.

Accordingly, our office recommends that the Thompson Hine Law Firm be approved as special counsel to represent the Commission in this transaction at the rates specified.

Sincerely,

A handwritten signature in cursive script, reading "Julie F. Pottorff".

JULIE F. POTTORFF  
Deputy Attorney General



**Executive Council of Iowa**

TAB # 4

Capitol Building  
Des Moines, Iowa 50319  
Phone: 515 281-5368  
FAX: 515 281-7562

**REQUEST FOR MEMBERSHIP APPROVAL**

**DEPARTMENT REQUESTING MEMBERSHIP:** Department for the Blind

**NAME OF ORGANIZATION:** National Council of State Agencies for the Blind (NCSAB)

**NEW MEMBERSHIP** \_\_\_\_\_ **RENEWAL** X **MEMBERSHIP PERIOD:** January 1, 2012 – December 31, 2012.

**MEMBERSHIP FEE OR DUES AMOUNT** \$1,140. *If Renewal, previous year amount.* \$1,140

*Funding Source: State Funds 21% Federal Funds 79%*  
**\*DO OTHER DEPARTMENTS BELONG TO THIS ORGANIZATION?** No.

**WILL THIS MEMBERSHIP REQUIRE OUT-OF-STATE TRAVEL?** Yes No X

***If yes, list the anticipated number of trips per year and their purpose:***

Travel is not a condition of membership. However, travel typically consists of two trips per year to training conferences. NCSAB holds general membership conferences for members to network with each other and also to meet with officials from the Department of Education, Regional Services Administration (RSA) and regulatory officials regarding the Department's administration of its responsibilities under the federal Rehabilitation Act of 1973.

***DESCRIBE WHY THIS MEMBERSHIP IS IMPORTANT TO THE WORK OF YOUR DEPARTMENT:***

Membership in this organization provides a valuable resource in the form of a national network of peers for the IDB's director and other management staff. The mission of the NCSAB is to promote through advocacy, coordination, and education the delivery of specialized services that enable individuals who are blind and visually impaired to achieve personal and vocational independence. NCSAB advocates for improved programs and quality services for blind persons. In addition, it allows Iowa a voice in national issues affecting the rehabilitation of blind Iowans. The Iowa Department for the Blind receives nearly 80% of its funding from the Rehabilitation Services Administration. Because this is a federal program, it is critical that the Department's management staff keep current on the issues and federal activities which affect both the funding levels and the delivery of services through this program. NCSAB is an effective vehicle for this.

***DESCRIBE HOW MEMBERSHIP IN THIS ORGANIZATION WILL BENEFIT THE TAXPAYERS OF THE STATE OF IOWA.***

It is the position of NCSAB (and the Department) that the most effective and comprehensive services available to blind individuals are those delivered by separate service agencies for the blind. A blind person requires an appropriate service system common to no other disability. It is cost effective to convert blind individuals to taxpayers from tax recipients, and independent nationwide research indicates a higher percentage of successful rehabilitations through separate agencies for the blind. Through NCSAB, state agencies have a national system for sharing employment resources, best practices, and business connections.

Most members of NCSAB are agencies in other states comparable to the Iowa Department for the Blind, providing vocational rehabilitation services under the federal Rehabilitation Act.

***DESCRIBE THE FREQUENCY AND TYPE OF CONTACTS YOU EXPECT YOUR DEPARTMENT TO HAVE WITH THIS ORGANIZATION:***

The Department participates regularly in conference calls, studies of the vocational rehabilitation system, surveys among member agencies, and work groups and committees that focus on service delivery, reporting requirements, data collection, etc.

Requested by:

*Karen Keninger*

Date: December 13, 2011

(Department Head Signature)

Phone: 281-1334

Email: karen.keninger@blind.state.ia.us

*David Redner*

12/13/11

EX-277-2-0001  
201 DEC 14 11:01

**Executive Council of Iowa**

Capitol Building  
Des Moines, Iowa 50319  
Phone: 515 281-5368 / FAX: 515 281-7562

**REQUEST FOR MEMBERSHIP APPROVAL**

DEPARTMENT REQUESTING MEMBERSHIP: Iowa Department of Economic Development

NAME OF ORGANIZATION: US Travel Association

NEW MEMBERSHIP ☐ RENEWAL ☒ MEMBERSHIP PERIOD: 1/01/12 - 12/31/12  
(begin and end dates)

MEMBERSHIP FEE OR DUES AMOUNT \$ 6,775

Funding Source: State General Fund ☒ Other State Funds ☐

Federal Funds ☐ Other Funds ☐

IF RENEWAL, previous year's amount \$ \$6,850

DO OTHER DEPARTMENTS BELONG TO THIS ORGANIZATION? ☐ Yes ☒ No If yes, please list:

Please describe why your department should have an additional membership

WILL THIS MEMBERSHIP REQUIRE AND PAY FOR OUT-OF-STATE TRAVEL? ☒ Yes ☐ No

If yes, list the anticipated number of trips per year and their purpose:

The US Travel Association hosts two national conferences annually, Education Sessions for Tourism Organizations and the Marketing Outlook Forum. At least one person from the Iowa Tourism Office attends these events.

DESCRIBE WHY THIS MEMBERSHIP IS IMPORTANT TO THE WORK OF YOUR DEPARTMENT:

Membership in the US Travel Association allows staff at the Iowa Tourism Office to network with our peers at other state tourism offices. It also gives us access to national research and advocacy support.

DESCRIBE HOW MEMBERSHIP IN THIS ORGANIZATION WILL BENEFIT THE TAXPAYERS OF THE STATE OF IOWA.

Membership in the US Travel Association allows the Iowa Tourism Office to learn about and implement best practices from other state so that we can enhance and streamline our work. It also enables to better spend our tax dollars by using US Travel's research to target our message.

DESCRIBE THE FREQUENCY AND TYPE OF CONTACTS YOU EXPECT YOUR DEPARTMENT TO HAVE WITH THIS ORGANIZATION:

We have contact with the US Travel Association almost daily.

IDED Division Head: Matthew Roman Date: 11/30/11

IDED Director or Deputy: [Signature] Date: 12-1-11

Phone: 515-725-3021

E-Mail: director@iowa.gov

**DOM USE ONLY:**

Approve ☒ Disapprove ☐

DOM Signature [Signature]

Date 12/13/11

Executive Council of Iowa

TAB # 6

Capitol Building  
Des Moines, Iowa 50319  
Phone: 515 281-5368  
FAX: 515 281-7562

**REQUEST FOR MEMBERSHIP APPROVAL**

DEPARTMENT REQUESTING MEMBERSHIP: Iowa Finance Authority

NAME OF ORGANIZATION: American Land Title Assoc.

NEW MEMBERSHIP ☐ RENEWAL ☒ MEMBERSHIP PERIOD: Jan 2012 - Dec 2012  
(Beginning and ending dates)

MEMBERSHIP FEE OR DUES AMOUNT \$7973

Funding Source: State General Fund ☐ Other State Funds ☐

Federal Funds ☐ Other Funds ☒ Self Funded

If Renewal, previous year amount. \$ 6911.50

DO OTHER DEPARTMENTS BELONG TO THIS ORGANIZATION? ☐ Yes ☒ No

If yes, please list:

Please describe why your department should have an additional membership

WILL THIS MEMBERSHIP REQUIRE AND PAY FOR OUT-OF-STATE TRAVEL? ☐ Yes ☒ No

If yes, list the anticipated number of trips per year and their purpose: \_\_\_\_\_

**DESCRIBE WHY THIS MEMBERSHIP IS IMPORTANT TO THE WORK DEPARTMENT:** The Division's mission is to run a title guaranty program for the state which meets the requirements for bank's selling mortgages in the secondary market as well as for property owners and lenders. It is extremely important that the division keep up with current issues in title industry and industry practices. The American Land Title Association keeps its members informed regarding title standards and real estate issues.

**DESCRIBE HOW A MEMBERSHIP IN THIS ORGANIZATION WILL BENEFIT THE TAXPAYERS OF THE STATE OF IOWA.** The taxpayers are benefited by the title guaranty program in that it provides guaranties for a cost that is less than premiums charged by commercial title insurance companies and which generates surplus which is used in housing programs throughout the state. Membership in American Land Title will assure the Division will continue to meet Iowa Standards.

**DESCRIBE THE FREQUENCY AND TYPE OF CONTACTS YOU EXPECT YOUR DEPARTMENT TO HAVE WITH THIS ORGANIZATION:** Receipt of publications and access to American Land Title assistance regarding title issues.

Requested by: [Signature]  
(Department Head Signature)

Date: 12/8/2011

Phone 515-725-4977

E-mail: david.jamison@iowa.gov

Membership Form 42400

July 2009

DOM: Approval ☒ Disapproval ☐

Signature [Signature]

Date 12/13/11

**Executive Council of Iowa**

Capitol Building  
Des Moines, Iowa 50319  
Phone: 515 281-5368  
FAX: 515 281-7562

TAB # 7

RECEIVED

DEC 12 2011

IOWA DEPT. OF  
MANAGEMENT

**REQUEST FOR MEMBERSHIP APPROVAL**

**DEPARTMENT REQUESTING MEMBERSHIP:** Transportation/Highway Division/Research and Technology Bureau

**NAME OF ORGANIZATION:** Intelligent Transportation Society of America (ITSA)

**NEW MEMBERSHIP:** RENEWAL: X MEMBERSHIP PERIOD: 12/1/11 to 11/30/12  
(Beginning and ending dates)

**MEMBERSHIP FEE OR DUES AMOUNT:** \$ 2,850.00

**Funding Source:** State General Fund ☐ Other State Funds \$ 2,850.00 - Primary Road Fund

**Federal Funds** ☐ **Other Funds** \$

**If Renewal, previous year amount:** \$ 2,850.00

**DO OTHER DEPARTMENTS BELONG TO THIS ORGANIZATION?** ☐ **Yes** ☒ **No**

**If Yes, please list:**

**Please describe why your department should have an additional membership:**

N/A

**WILL THIS MEMBERSHIP REQUIRE AND PAY FOR OUT-OF-STATE TRAVEL?** ☐ **Yes** ☒ **No**

**If Yes, list the anticipated number of trips per year and their purpose:**

N/A

**DESCRIBE WHY THIS MEMBERSHIP IS IMPORTANT TO THE WORK OF YOUR DEPARTMENT:**

Providing traveler information to the public, emergency responders, media outlets and DOT staff is the primary focus of the DOT's Intelligent Transportation Systems (ITS) program. By being a member of ITS-America, the Department supports:

- Access to information about techniques, trends and standards in ITS
- Opportunities to influence national policy and standards for ITS
- Exposure to emerging technologies that may directly affect operations planning
- Coordination of DOT efforts with national ITS initiatives

**DESCRIBE HOW MEMBERSHIP IN THIS ORGANIZATION WILL BENEFIT THE TAXPAYERS OF THE STATE OF IOWA:**

Taxpayers directly benefit from ITS America membership in three ways -

- 1) Improved cost-effectiveness for projects is achieved through access to techniques and data developed by other states throughout the country. "Re-inventing the wheel" situations are avoided and development/deployment times are reduced.
- 2) Costs are reduced through mechanisms such as "pooled fund" studies and projects that allow multiple states to contribute a portion of costs, but enjoy the full benefits of the project. ITS America provides a mechanism to form the relationships necessary for regional partnerships.
- 3) ITS America allows a forum for national policy to be influenced in ways that will reflect the concerns of Iowa and benefit its taxpayers

**DESCRIBE THE FREQUENCY AND TYPE OF CONTACTS YOU EXPECT YOUR DEPARTMENT TO HAVE WITH THIS ORGANIZATION:**

DOT staff receives weekly e-mail newsletters providing the latest in the industry on both technology advances and funding opportunities from the Federal Government as well. Required attendance to any functions of this organization is optional.

Contacts with peers, consultants and vendors occur all year around based on the relationships created by this organization. These contacts result in nationwide vendors bidding on Iowa DOT project. Costs are reduced and better services are obtained with a competitive environment.

Requested by: <u>John Adam Paul [Signature]</u>	Date: <u>12/9/2014</u> December 8, 2014
(Department Head Signature)	
Phone: <u>515/239-1124</u>	E-mail: <u>john.adam@dot.iowa.gov</u>

DOM: Approval ☒ Disapproval ☐

Signature [Signature] Date 12/13/14

3120 H. B. 2011  
2011 DEC 14 PM 12:01